

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

NORTH COUNTY TRANSIT DISTRICT

(Amended November 18, 2004)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. 18701(b), are NOT subject to the District's Code, but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.). [Regs. 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Board Members and Alternates

Executive Director

Director of Fiscal and Support Services

Financial Consultants

¹

Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by 87200.

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

2004 DEC 23 AM 9:52

THOMAS J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Assistant Controller	4, 6
Assistant Planner	2, 3, 6
Audit and Compliance Officer	1
Benefits Administrator	6
Business Applications Administrator	6
Buyer	1
Chief Information Officer	6
Chief Management Accountant	1, 2
Civil Engineer	2, 3, 6
Community Outreach Representative	1
Construction Project Officer	2, 3, 6
Contract Maintenance Coordinator	3, 6
Contracts Administrator	5
Controller	1, 2
Deputy Executive Director	1, 2
Director of Bus Operations & Maintenance	3, 6
Director of Communications and Business Development	1, 2
Director of Rail Services	1, 2
Engineering Aide	3, 6
Executive Assistant	6
Facility Maintenance Supervisor	6
Facility Project Planner	6
Financial Analyst	5
General Counsel	1, 2
General Services Supervisor	6
Grants Specialist	1
Human Resources Administrator	6

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Information Systems Administrator	6
Management Analyst	6
Manager of Bus Operations	6
Manager of Capital Construction	2, 3, 6
Manager of Capital Development	1, 2
Manager of Communications & Marketing	6
Manager of Commuter Rail Services	6
Manager of Contracts and Procurement	1, 2
Manager of Facility Maintenance	3, 6
Manager of Fleet Maintenance	6
Manager of Human Resources	6
Manager of Light Rail Services	6
Manager of Maintenance-of-Way	6
Manager of Real Estate	1, 2
Manager of Safety, Risk & Training	6
Manager of Security Services	6
Manager of Service Development	6
Marketing Representative	6
Principal Planner	2, 3, 6
Quality Control Management Specialist	1, 2
Rail Contract Compliance Officer	7
Rail Engineers	2, 3, 6
Rail Project & Environmental Coordinator	1, 2
Real Estate Asset Administrator	1, 2
Revenue Supervisor	5
Senior Contract Administrator	1, 2
Senior Graphic Communications Designer	6
Senior Systems Administrator	6
Senior Systems Analyst	6

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Storeroom Supervisor	6
Transportation Projects Administrator	6
Consultant ²	

² Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income, that are located in, do business in, or own real property within the jurisdiction of the District .

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

Category 7: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit, or licensing authority of the Designated Employee's Department.

RESOLUTION NO. 04-15

RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH SAN DIEGO COUNTY TRANSIT DEVELOPMENT BOARD ADOPTING AN AMENDED APPENDIX OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the North County Transit District (the "District") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on December 19, 2002, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306, 87307 of the Act to amend and update the Appendix of the District's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Appendix was provided each affected designated employee and publicly posted for review at the office of the District; and

WHEREAS, a public meeting was held upon the proposed amended Appendix at a regular meeting of the Board of Directors on November 18, 2004, at which all present were given an opportunity to be heard on the proposed amended Appendix.

NOW, THEREFORE, BE IT RESOLVED that the North San Diego County Transit Development Board of Directors does hereby adopt the proposed amended Appendix of the Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Audit and Compliance Officer and available to the public for inspection and copying;

BE IT FURTHER RESOLVED that the said amended Appendix shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Appendix shall become effective 30 days after the Board of Supervisors approves the proposed amended Appendix as submitted.

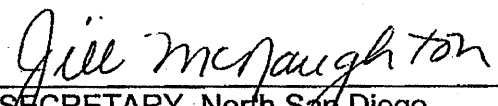
PASSED, APPROVED AND ADOPTED this 18th day of November, 2004, by the following vote:

AYES: RITTER, DRUKER, FELLER, GALLO, GOLICH, KULCHIN, STOCKS
NOES: NONE
ABSENT: HORN, PRESTON
ABSTAIN: NONE



CHAIRWOMAN, North San Diego
County Transit Development Board

ATTEST:



SECRETARY, North San Diego
County Transit Development Board

LEGISLATIVE VERSION
(SHOWING CHANGES MADE)
APPENDIX

CONFLICT OF INTEREST CODE

OF THE

NORTH COUNTY TRANSIT DISTRICT

(Amended ~~December 19, 2002~~ November 18, 2004)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

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It has been determined that the positions listed below are officials who manage public investments¹:

Board Members and Alternates

Executive Director

Director of Fiscal and Support Services

Financial Consultants²

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant Controller	4, 6
Assistant Planner	2, 3, 6
Assistant to the Executive Director <u>Executive Assistant</u>	6
Audit and Compliance Officer	1
<u>Benefits Administrator</u>	6
<u>Business Applications Administrator</u>	6
Buyer	1
Chief Information Officer	6
<u>Chief Management Accountant</u>	1, 2
Civil Engineer	2, 3, 6
Community Outreach Representative	1
Construction Project Officer	2, 3, 6
Contract Maintenance Coordinator	3, 6
Contracts and Procurement Analyst <u>Administrator</u>	5
Controller	1, 2
<u>Deputy Executive Director</u>	1, 2
Director of Development and Communications <u>and Business Development</u>	1, 2
Director of Governmental Relations	1, 2
Director of Human Resources	6
Director of <u>Bus Operations & Maintenance</u> and Security Services	3, 6
Director of Transportation <u>Rail</u> Services	1, 2
<u>Engineering Aide</u>	3, 6
Facility Maintenance Superintendent <u>Supervisor</u>	6
<u>Facility Project Planner</u>	6
Financial Analyst	5
General Counsel	1, 2
General Services Supervisor	6

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Grants Specialist	1
<u>Human Resources Administrator</u>	<u>6</u>
<u>Information Systems Administrator</u>	<u>6</u>
Management Analyst	6
Manager of Bus Services <u>Operations</u>	6
Manager of Capital Construction	2, 3, 6
Manager of Capital Development	1, 2
Manager of Commuter Rail Services	6
Manager of Contracts and Procurement	1, 2
Manager of Facility Maintenance	3, 6
Manager of Financial Planning and Budget	1, 2
Manager of Fleet Maintenance	6
Manager of Human Resources	6
Manager of Light Rail Services	6
Manager of Maintenance-of-Way	6
Manager of Marketing and Communications <u>& Marketing</u>	6
Manager of Real Estate	1, 2
Manager of Risk and Safety <u>Risk & Training</u>	6
Manager of Security Services	6
Manager of Service Development	6
Marketing Representative	6
<u>Quality Control Management Specialist</u>	<u>1, 2</u>
Rail Contract Compliance Officer	7
<u>Rail Engineers</u>	<u>2, 3, 6</u>
<u>Rail Project & Environmental Coordinator</u>	<u>1, 2</u>
Real Estate Asset Administrator	1, 2
Revenue Supervisor	5
Senior Contract Administrator	1, 2
<u>Senior Graphic Communications Designer</u>	<u>6</u>

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

<u>Senior Principal Planner</u>	2, 3, 6
<u>Senior Systems Administrator</u>	<u>6</u>
Senior Systems Analyst	6
Storeroom Supervisor	6
Transportation Projects Administrator	6
Consultant ²	

² Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

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The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income from, ~~business entities, that are located in, do business in, or own real property within the jurisdiction of the District Authority, plan to do business or own real property within the jurisdiction of the District within the next year, or have done business or owned real property within the jurisdiction of the District within the past two~~ (2) years.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the ~~Authority~~ District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the ~~Authority~~ District, ~~plan to engage in such activities within the jurisdiction of the Authority within the next year, or have engaged in such activities within the jurisdiction of the Authority within the past two~~ (2) years.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the ~~Authority~~ District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

Category 7: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit, or licensing authority of the Designated Employee's Department, ~~will be subject to such authority within the next year, or have been subject to such authority within the past two~~ (2) years.